

Thus on January 1, 2000 Guam time, the entire Nation will know far in advance of the beginning of their New Year's celebrations here on the East Coast what the devastating effects of Y2K will be.

The administration, via the Office of Insular Affairs at the Department of Interior, has just announced that the territories will receive \$22 million in new Federal funding to help repair the local governmental computer systems and make them Y2K compliant.

However, Mr. Speaker, I have learned from very reliable sources that the breakdown of this necessary emergency funding will represent the greatest inequity in Federal territorial relations that Guam has experienced since 1898 when Guam became a U.S. possession. The administration, with no explanation, nor just cause, has deemed that out of a possible \$22 million in assistance divided for four territories, Guam will receive a mere \$60,000, and Guam will be the first one to experience the Y2K problem.

This amount is unconscionable, and this level of funding is proportionately ridiculous in terms of Guam's real Y2K problems which are estimated to be around \$26 million to repair.

Somewhere along the road between the Office of Insular Affairs and the Government of Guam, there seems to have been a breakdown in cooperation. The USDA made an assessment of the Government of Guam's Y2K readiness earlier this year, along with other territories. Supposedly, their efforts were met with some resistance by local officials and agency heads. I do not know if any of this is accurate; but at this stage, casting blame will not solve the problem.

The fact remains that, if the rumors of uncooperativeness are true, and I am not sure that they are, the \$60,000 apportionment out of \$22 million is tantamount to a punitive action.

It is my understanding and certainly my hope that OMB and OIA will be meeting very soon to discuss redressing this gross inequity or to supplement the total pool of funds. I will make every effort to impress upon the administration that they need to make realistic and equitable allocations for Guam and the other territories.

To that end, I will be contacting the House Committee on Appropriations' chairman and ranking member to express my deep concern over the proposed Y2K funding allocation. I hope and I trust that the realignment of this funding proposal can be met.

The other item I would like to address is the INS reimbursement for the Government of Guam. Earlier this year, and in fact going back to last year, there has been a steady stream of illegal immigrants making a nearly 2,000 mile journey over the open ocean from the People's Republic of China to Guam.

As a result of this, there has been over 500 illegal Chinese immigrants that have been captured in Guam and

have been detained in Guam. Governor Carl Gutierrez intervened to prevent that action, the INS from releasing these people into the general community.

Now, the government of Guam has been housing these illegal immigrants since January at a local corrections facility. This is a Federal responsibility. The Clinton administration thankfully has committed to reimbursing the Government of Guam for all costs incurred in relation to detaining and capturing the Chinese illegal immigrants.

Last June, the Governor of Guam estimated that the cost to date had tallied some \$4.4 million.

I understand that the administration will be offering an amendment to the Subcommittee on Commerce, Justice, State, and Judiciary bill which will make good on this commitment.

I am grateful for that opportunity, and I urge all the Members of this body as well as Members of the other body to support that and to continue to work towards the equitable distribution of funding for our insular areas.

CONGRESSIONAL AUTHORITY IS SLIPPING

The SPEAKER pro tempore. Under the Speaker's announced policy of January 19, 1999, the gentleman from Washington (Mr. METCALF) is recognized during morning hour debates for 5 minutes.

Mr. METCALF. Mr. Speaker, before coming to Congress, I taught history for 30 years in my home State of Washington. But it should not take a historian, a lawyer, or even a politician to realize that Congress has ceded a measure of fundamental constitutional authority to the executive.

In fact, it is the hundreds of phone calls and letters from Americans in my district and around the country that brings me to the floor today. These citizens are concerned, and I am concerned, that Congress has subjected the people to laws it never made because we have allowed our legislative responsibilities to be usurped by the executive department.

In the past, Presidents worked with Congress to pass legislation. Indeed, that is what the Founders intended. Nevertheless, Congress, over the years, has allowed Presidents, both Democratic and Republican, to issue executive orders and proclamations that push far beyond the prescribed executive authority. Presidents have used these administrative actions to enact their agenda without the consent of Congress.

Mr. Speaker, we have tolerated this type of executive orders and proclamations for too long. I am deeply concerned about what I perceive to be a culture of deference in the Congress, deference to the executive. Congressional authority is slipping.

In fact, this President has issued more than 297 executive orders since taking office. Some of these infringe on

the powers and duties reserved exclusively for Congress as dictated by the U.S. Constitution. In fact, one was so egregious that it had to be rescinded last year. That was executive order 13803 on federalism, which imposed new guidelines and granted the President unlimited policy making authority. Furthermore, it expanded the burden of big government on American citizens.

Last August, due to its blatant regard for congressional authority and disregard for the 9th and 10th Amendments, the White House finally succumbed to intense pressure and suspended or withdrew the federalism executive order.

The American Heritage Rivers Initiative, Executive Order 13061, is another example of our current President's attempted usurpation of the legislative powers of Congress. The Rivers Initiative was born when the President decided, without studies or public hearings, that he could take governing authority away from States and local governments.

The Constitution requires Congress to first approve all revenue spending. However, Clinton's executive order would require States to give up certain rivers to Federal control. It is a threat to citizens' private property rights. Even more disturbing, the Rivers Initiative also would have given the President the power to reprogram government funds and spend taxpayers' money for projects without a vote of Congress.

The President's use of executive orders and proclamations is reckless. Some fear the President may try to use these presidential directives in the future to further his international agenda in U.N. treaties or to increase his authority under the so-called emergency powers to spend more taxpayer dollars.

Executive orders and proclamations are a legitimate source of law only when they draw upon the constitutional powers of the President or when Congress expressly delegates such authority.

I urge every Member to join with me, and the 72 of our colleagues, and cosponsor House Concurrent Resolution 30. My resolution institutes a check within the Congress. It is a signal that executive infringements on legislative power will prompt Congress to protect its constitutional prerogatives.

Those of us in Congress have taken an oath to uphold the Constitution and to protect the balance it established. To fulfill our oath of office, I urge each Member to support this resolution. We must protect our constituents from the abuses of unchecked executive power.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess until 2 p.m.

Accordingly (at 1 o'clock and 10 minutes p.m.), the House stood in recess until 2 p.m.